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# News Release



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## **Critical Habitat Revised for Kootenai River White Sturgeon** *Public has 60 days to comment on interim rule and a draft economic analysis*

The U.S. Fish and Wildlife Service today published an interim final rule expanding critical habitat for the endangered Kootenai River white sturgeon (*Acipenser transmontanus*), a rare fish found in Idaho, Montana and British Columbia, Canada.

The interim rule adds an additional 6.9 miles of the Kootenai River to the 11.2 miles of the river already designated as critical habitat in 2001. The additional miles are directly upstream from the previously designated area, and the entire area is within Boundary County, Idaho.

A draft economic analysis of the entire critical habitat designation of 18.1 miles also was released today for public comment. The analysis, prepared by Northwest Economic Associates of Vancouver, Washington, estimates that adding 6.9 miles of critical habitat will not increase the economic impacts of the earlier designation. The analysis estimates those potential economic impacts to be \$370 million to \$790 million, at today's values, over the next 20 years. The vast majority of these impacts result from changes in flows to accommodate the sturgeon within the Kootenai River and related operations at Libby Dam, which is operated by the U.S. Army Corps of Engineers. These costs could occur even without a critical habitat designation because the Kootenai River white sturgeon is listed under the Endangered Species Act and federal agencies are required to conserve it.

Public comments on the revised designation and the draft economic analysis will be accepted until April 10, 2006. A public informational meeting and hearing are scheduled for March 16, 2006, at the Kootenai River Inn, 7169 Plaza St, in Bonners Ferry, Idaho. The informational meeting will run from 5 p.m. to 6:30 p.m., followed by the public hearing from 7 p.m. to 8:30 p.m. Formal public testimony will be accepted at the hearing and

people who want to testify are encouraged to provide a written copy of their testimony in addition to their oral statement.

“Public comments and, particularly, technical comments from local, state and federal agencies and Native American tribes will be very useful in focusing the final designation to the area that contributes the most to the conservation of the species,” Regional Director Dave Allen said. “The ultimate goal is to recover this species and delist it.”

For specifics on what type of information the Service is seeking please see the attached questions and answers.

The interim final rule was published in today’s Federal Register to comply with a court-ordered deadline stemming from a lawsuit filed by the Center for Biological Diversity. The rule is, however, subject to further revision based on comments and information received during the next 60 days. Due to time constraints and the amount of research and preparation involved in completing the critical habitat designation, the Service was unable to issue an earlier critical habitat proposal for public review in time to complete a final rule by the court’s deadline. This interim rule takes the place of a proposed rule, but differs in that it has regulatory effect, meaning that federal agencies must consult with the Service before authorizing or taking actions that could affect the Kootenai River white sturgeon’s critical habitat.

A new final rule may be issued that differs from this interim rule.

The revised critical habitat proposal is based on the best scientific and economic information and recognizes the conservation efforts of states, tribes, agencies and landowners. It covers only areas that are occupied by Kootenai River white sturgeon and that contain physical and biological features considered essential to the conservation of the species.

One of 18 land-locked populations of white sturgeon known to occur in western North America, the Kootenai River white sturgeon was listed as endangered on September 6, 1994. Kootenai River white sturgeon occur in Idaho, Montana and British Columbia, Canada, and are restricted to approximately 167.7 river miles of the Kootenai River from Kootenai Falls, Montana, below Libby Dam, Montana, downstream through Kootenay Lake to Corra Linn Dam at the outflow from Kootenay Lake in British Columbia. Approximately 45 per cent of the species’ range is located within British Columbia.

The Kootenai River white sturgeon population is threatened by dam operations, flood control operations, water quality degradation and loss of habitat. Modifications of the Kootenai River white sturgeon's habitat have changed the natural hydrology of the Kootenai River, altering white sturgeon spawning, egg incubation and rearing habitats while reducing overall biological productivity. These factors have contributed to reduced numbers of surviving young sturgeon for the past 31 years. The adult population has been decreasing at a rate of 9 per cent per year. The Kootenai River white sturgeon is listed as “Critically Imperiled” by the state of Montana and “Endangered” by the state of Idaho.

Written comments on the interim final rule should be submitted to: Supervisor, U.S. Fish and Wildlife Service, Upper Columbia Fish and Wildlife Office, 11103 E. Montgomery, Spokane, Washington 99206, or by facsimile to 509-891-6748. Comments may also be sent by electronic mail to FW1SPOK\_crithab\_stur@R1.fws.gov in ASCII file format and avoid the use of special characters or any form of encryption. Please also include “**Attn:**

**Kootenai River sturgeon**” in the e-mail subject header and your name and return address in the body of your message. If you do not receive a confirmation from the system that we have received your Internet message, contact us directly by calling our Upper Columbia Fish and Wildlife Office at 509-891-6839.

Critical habitat is a term in the federal Endangered Species Act (ESA). It identifies geographic areas that contain features essential for the conservation of a threatened or endangered species and that may require special management or protection. The designation of critical habitat does not affect land ownership or establish a refuge, wilderness, reserve, preserve or other conservation area. It does not allow government or public access to private lands. A critical habitat designation does not impose restrictions on private lands unless Federal funds, permits or activities are involved. Federal agencies that undertake, fund or permit activities that may affect critical habitat are required to consult with the Service to ensure that such actions do not adversely modify or destroy critical habitat.

In 30 years of implementing the ESA, the Service has found that the designation of critical habitat provides little additional protection for most listed species, while preventing the Service from using scarce conservation resources for activities with greater conservation benefits.

In almost all cases, recovery of listed species will come through voluntary cooperative partnerships, not regulatory measures such as critical habitat. Habitat is also protected through cooperative measures under the Endangered Species Act including Habitat Conservation Plans, Safe Harbor Agreements, Candidate Conservation Agreements and state programs. In addition, voluntary partnership programs such as the Service's Private Stewardship Grants and Partners for Fish and Wildlife program also restore habitat. Habitat for protected species is provided on many national wildlife refuges managed by the U.S. Fish and Wildlife Service and on state wildlife management areas.

The U.S. Fish and Wildlife Service is the principal Federal agency responsible for conserving, protecting and enhancing fish, wildlife and plants and their habitats for the continuing benefit of the American people. The Service manages the 95-million-acre National Wildlife Refuge System, which encompasses 545 national wildlife refuges, thousands of small wetlands and other special management areas. It also operates 69 national fish hatcheries, 64 fishery resources offices and 81 ecological services field stations. The agency enforces federal wildlife laws, administers the Endangered Species Act, manages migratory bird populations, restores nationally significant fisheries, conserves and restores wildlife habitat such as wetlands, and helps foreign and Native American tribal governments with their conservation efforts. It also oversees the Federal Assistance program, which distributes hundreds of millions of dollars in excise taxes on fishing and hunting equipment to state fish and wildlife agencies.

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